

Scottish Courts and Tribunals Service complaints procedure

The Scottish Courts and Tribunals Service is committed to providing high-quality services.

We value complaints and use information from them to help us to improve our services.

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standards of service
- our policies
- treatment by or attitude of a member of staff
- failure to follow proper procedure.

Your complaint may involve more than one service or be about someone working for us.

What can't I complain about?

There are some things we can't deal with through our complaints handling procedure. These include:

- an initial request for service, e.g. asking us for a form, or to accept payment of a fine
- a request for an explanation of our policies
- a complaint about or an appeal against a court or tribunal decision
- a complaint about the conduct of a judicial office holder or tribunal member
- a complaint about the conduct of other organisations in the justice system
- disagreement with a decision where a statutory right of appeal exists
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice, though not legal advice, to help you.

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

You can complain in person at any of our courts or public offices, by phone, in writing, or by e-mail.

It is often easier for complaints to be resolved if you make them quickly and directly to the service concerned. So please consider talking to a member of our staff providing the service you are complaining about. Then they can try to resolve any problems on the spot. Or write directly to the tribunal, office, or court concerned. You will find our location details on the right hand side of our website home page, with e-mail addresses listed alphabetically.

When making a complaint, please tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter
- your preferred way of being contacted by us about your complaint.

How long do I have to make a complaint?

Normally, you must make your complaint within six months of:

- the action or inaction you want to complain about, or
- finding out that you have a reason to complain

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

We will always tell you who is dealing with your complaint. Our complaints procedure has two stages:

1 Frontline resolution

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and we will try to take immediate action to resolve the problem.

- We will give you our decision within **five working days**, unless we think there are exceptional circumstances, in which case we will contact you to agree an extension of no more than **five working days**.

- If we can't resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you make a request for an investigation. You may choose to do this immediately or sometime after you get our initial decision.

2 Investigation

Where a complaint appears to be complicated or serious we will investigate. We will also investigate if you are not satisfied with our frontline response.

When we investigate a complaint we will:

- acknowledge receipt of your complaint within **three working days**
- where appropriate, discuss your complaint with you to understand why you are dissatisfied and what outcome you are looking for
- give you a full written response to the complaint as soon as possible and within **twenty working days**.

If our investigation will take longer than twenty working days, we will tell you. We will try to agree revised time limits with you and will keep you updated on our progress.

What if I am still dissatisfied?

If you are still dissatisfied with our final decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman to look at it. The SPSO considers complaints about Scottish public authorities and has produced a Statement of Complaints Handling Principles which we endorse – see:

http://www.valuingcomplaints.org.uk/sites/valuingcomplaints/files/resources/2018%20Statement%20of%20Complaints%20Handling%20Principle_0.pdf

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (**so please make sure it has done so before contacting the SPSO**)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:
SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

By Post:
Freepost SPSO

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate (someone who will support you), if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance

Tel: 0131 524 1975

email: enquiry@siaa.org.uk

Website: www.siaa.org.uk

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help people access and use our services.

If you have trouble putting your complaint in writing, or want information in another language or format, such as large print, audio, or Braille, please tell us in person, or contact us at the addresses / phone numbers below.

Please Note: In all other circumstances your complaint should be made, in the first instance, directly to the tribunal, office, or courts providing the service you are complaining about. This can be done in writing, via email or in person.

Contact details, including the generic email addresses and phone numbers for all courts and offices, can be found on the right hand side of our website home page under the heading "Court Locations" and are listed alphabetically.

Or write to:	Correspondence Manager Scottish Courts and Tribunals Service Saughton House (Spur N1) Broomhouse Drive Edinburgh EH11 3XD
Or e-mail	correspondence@scotcourts.gov.uk
Or phone	0131 444 3335

We can also give you this leaflet in other languages and formats (such as **large print**, audio, and Braille).

Quick guide to our complaints procedure

You can make a complaint in person, by phone, by letter, or by email.

We have a two stage complaints procedure. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.

FRONTLINE RESOLUTION

For issues that are straightforward and easily resolved – requiring little or no investigation.

On the spot apology, explanation or other action to resolve the complaint quickly – in 5 working days or less (unless there are exceptional circumstances).

Complaints addressed by any member of staff – or alternatively referred to the appropriate point for frontline resolution with details recorded and used for service improvement.

If you are dissatisfied with our frontline response, you can ask us to

INVESTIGATION

For issues not resolved at the frontline or that are complex, serious or high risk.

Thorough investigation carried out and a definitive response issued within 20 working days.

Confirmation that the SCTS complaints procedure is at an end and information on how to contact the SPSO will be provided in our final response.

SCOTTISH PUBLIC SERVICES OMBUDSMAN

For issues not resolved by the SCTS.

Complaints progressing to the SPSO will have been thoroughly investigated by the SCTS.

The SPSO will assess whether there is evidence of service failure not identified by the SCTS.